

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

BRADLEY JAMES ALBERT,

Plaintiff,

v.

DISCOVER BANK,

Defendant.

CIVIL ACTION FILE NO.

1:23-cv-1530-MLB-JKL

**ORDER**

This case is before the Court on Defendant Discover Bank's motion to dismiss Plaintiff's amended complaint and its motion to stay deadlines in this case while the Court considers the motion. [See Docs. 14, 15.] The Court observes that Plaintiff Bradley James Albert, who is proceeding *pro se*, has not yet responded to either motion and that, under Local Rule 7.1(B), the "failure to file a response shall indicate that there is no opposition to the motion." See LR 7.1(B), NDGa. Defendant's unopposed motion to stay is therefore **GRANTED**. [Doc. 15.] All deadlines in this case are **STAYED** until Defendant's motion to dismiss is adjudicated.

Meanwhile, Plaintiff is **ORDERED** to respond to the motion to dismiss by no later than **September 22, 2023** or show cause for his refusal to do so. Given that Plaintiff has failed to respond to Defendant's motion to dismiss within the time period prescribed by this Court's rules, he is warned that the Court will interpret his continued failure to respond as Plaintiff's indication that he is not interested in prosecuting this case and that he does not oppose Defendant's motion to dismiss. As a result, this Court will recommend the dismissal of Plaintiff's lawsuit. *See also Betty K Agencies, Ltd. v. M/V MONADA*, 432 F.3d 1333, 1337-38 (11th Cir. 2005) (discussing the Court's authority to dismiss an action for failure to follow the orders and rules of the Court); LR 41.3(A), NDGa. (explaining that the "[t]he court may, with or without notice to the parties, dismiss a civil case for want of prosecution if . . . plaintiff or plaintiff's attorney shall, after notice . . . fail or refuse to obey a lawful order of the court in the case").

IT IS SO ORDERED this 7th day of September, 2023.

  
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JOHN K. LARKINS III  
United States Magistrate Judge